

Message Text

CONFIDENTIAL

PAGE 01 USBERL 01900 01 OF 02 111202Z
ACTION EUR-08

INFO OCT-01 SS-14 ISO-00 SP-02 PM-03 INR-05 H-01 PA-01
NSC-05 CIAE-00 DODE-00 ICA-01 ACDA-10 L-01 NSAE-00
TRSE-00 HA-02 /054 W
-----043295 111433Z /45S

R 110859Z AUG 78
FM USMISSION USBERLIN
TO AMEMBASSY BONN
INFO SECSTATE WASHDC 7465
AMEMBASSY BERLIN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION USNATO

C O N F I D E N T I A L SECTION 1 OF 2 USBERLIN 1900

LIMDIS

E.O. 11652: GDS
TAGS: PGOV, AKB
SUBJECT: PROHIBITION OF NPD PARTICIPATION IN BERLIN 1979 ELECTIONS

REF: (A) USBERLIN 36, (B) 77 STATE 262661, (C) 77 BONN 18145
(EXDIS NOTAL), (D) 77 USBERLIN 2803 (EXDIS NOTAL)

1. BY LETTER DATED 18 JULY, GOVERNING MAYOR STOBBE HAS ASKED THE ALLIED COMMANDANTS TO PROHIBIT PARTICIPATION OF THE NATIONALDEMOKRATISCHE PARTEI DEUTSCHLANDS (NPD) IN THE UPCOMING BERLIN ELECTIONS AND THE CAMPAIGN FOR THE ELECTIONS WHICH ARE SCHEDULED TO BE HELD ON 18 MARCH 1979. THE JUSTIFICATION ADVANCED BY THE GOVERNING MAYOR IS THAT NPD PARTICIPATION WOULD POSE A THREAT TO THE PUBLIC ORDER OF BERLIN. THE REQUEST AND JUSTIFICATION CORRESPOND TO THE 1974 REQUEST AND JUSTIFICATION OF THE GOVERNING MAYOR WITH RESPECT TO THE LAST BERLIN ELECTIONS WHICH TOOK PLACE IN 1975. BERLIN
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PAGE 02 USBERL 01900 01 OF 02 111202Z

MISSIONS HAVE PREPARED A DRAFT BK/O AND DRAFT BK/L TO PROHIBIT NPD PARTICIPATION IN THE 1979 BERLIN ELECTIONS AND THE CAMPAIGN LEADING UP TO THE ELECTIONS. THE DRAFT BK/O AND BK/L HAVE BEEN DRAWN FROM BK/O 74(10) AND BK/L 74(32), BOTH OF 30 AUGUST 1974, WHICH IN RESPONSE TO THE GOVERNING MAYOR'S REQUEST WERE ISSUED BY THE ALLIED KOMMANDATURA TO BAN NPD PARTICIPATION IN THE 1975

ELECTIONS.

2. GIVEN THE ALLIED COMMITMENT TO KEEP THE NPD FROM BEING PUBLICLY ACTIVE IN BERLIN (SEE REFTELS B, C, & D), AND THE PREVIOUS ALLIED BAN ON NPD PARTICIPATION IN BERLIN ELECTIONS, USBER DID NOT REPEAT NOT CONSIDER IT NECESSARY TO REFER THIS MATTER TO BONN OR CAPITALS. HOWEVER, BRITISH MISSION ADVISED US THAT THEY ARE OBLIGED TO REFER TEXT TO BONN AND LONDON. ONE REASON FOR THIS, AS EXPLAINED TO US BY BRITISH LEGAL ADVISER, IS CURRENT NPD COMPLAINT AGAINST BRITISH BEFORE THE EUROPEAN COMMISSION ON HUMAN RIGHTS (SEE REFTEL A).

3. WE ARE REPEATING THE DRAFTS, WHICH HAVE BEEN AGREED TO BY BRITISH AND FRENCH MISSIONS IN BERLIN, FOR INFORMATION OF U.S. BONN GROUP REPRESENTATIVE. WE HAVE EXPRESSLY REQUESTED OF BRITISH MISSION THAT IT REQUEST BONN AND LONDON TO REVIEW ONLY THE POLICY QUESTION OF WHETHER OR NOT WE SHALL BAN NPD PARTICIPATION IN THE UPCOMING BERLIN ELECTIONS, AND WE HAVE GIVEN BRITISH MISSION OUR OPINION THAT DRAFTING OF BK/O AND BK/L SHOULD BE LEFT TO BERLIN MISSIONS.

4. DRAFT BK/O FOLLOWS:

BEGIN TEXT
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PAGE 03 USBERL 01900 01 OF 02 111202Z

BK/O(78)
AUGUST 1978

SUBJECT: NPD PARTICIPATION IN THE 1979 ELECTIONS

1. PARTICIPATION BY THE LANDESVERBAND BERLIN OF THE NATIONALDEMOKRATISCHE PARTEI DEUTSCHLANDS (NPD) IN THE 1979 BERLIN ELECTIONS AND THE ENGAGING IN PUBLIC ACTIVITIES OF ANY KIND BY THE NPD BETWEEN THE DATE THIS ORDER COMES INTO EFFECT AND MIDNIGHT 19 MARCH 1979 ARE PROHIBITED. PARTICIPATION IN SUCH ACTIVITIES CONDUCTED BY THE NPD SHALL BE REGARDED AS A BREACH OF THIS ORDER.

2. THE APPROPRIATE SENAT AUTHORITIES WILL TAKE ALL NECESSARY STEPS TO ENSURE THAT THIS ORDER IS IMPLEMENTED.

3. FOR THE PURPOSES OF THIS ORDER, THE NPD INCLUDES ALL NATIONAL, REGIONAL OR LOCAL ORGANIZATIONS OF, OR AFFILIATED TO, THE NPD.

4. THIS ORDER COMES INTO EFFECT ON THE DAY OF ITS
PUBLICATION IN THE GESETZ - UND VERORDNUNGSBLATT FUER
BERLIN.

5. THIS ORDER WILL BE TRANSMITTED TO THE GOVERNING

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PAGE 01 USBERL 01900 02 OF 02 111307Z
ACTION EUR-08

INFO OCT-01 SS-14 ISO-00 SP-02 PM-03 INR-05 H-01 PA-01
NSC-05 CIAE-00 DODE-00 ICA-01 ACDA-10 L-01 NSAE-00
TRSE-00 HA-02 /054 W
-----043951 111508Z /45S

R 110859Z AUG 78
FM USMISSION USBERLIN
TO AMEMBASSY BONN
INFO SECSTATE WASHDC 7466
AMEMBASSY BERLIN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION USNATO

C O N F I D E N T I A L SECTION 2 OF 2 USBERLIN 1900

LIMDIS

MAYOR OF BERLIN FOR SUCH ACTION AS MAY BE NECESSARY IN
RELATION TO IT, INCLUDING PUBLICATION IN ACCORDANCE WITH
BK/O(64)4.
FOR THE ALLIED KOMMANDATURA BERLIN

CHAIRMAN DEPUTY COMMANDANT

END TEXT

5. DRAFT BK/L FOLLOWS:

BEGIN TEXT

BK/L(78)
AUGUST 1978

SUBJECT: NPD PARTICIPATION IN THE 1979 ELECTIONS

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PAGE 02 USBERL 01900 02 OF 02 111307Z

TO: THE GOVERNING MAYOR, BERLIN

DEAR MR. GOVERNING MAYOR:

1. IN YOUR LETTERS OF 18 JULY 1978 YOU ADVISED EACH OF THE ALLIED COMMANDANTS OF THE THREAT TO PUBLIC ORDER WHICH WOULD BE POSED BY THE PARTICIPATION OF THE NATIONALDEMOKRATISCHE PARTEI DEUTSCHLANDS (NPD) IN THE 1979 BERLIN ELECTIONS AND ASKED THE ALLIED KOMMANDATURA TO CONSIDER APPROPRIATE MEASURES TO PREVENT PUBLIC ACTIVITIES OF THE NPD DURING THE PERIOD LEADING UP TO THE ELECTION.

2. IN VIEW OF THE PAST RECOMMENDATIONS OF THE SENAT CONCERNING THREATS TO PUBLIC ORDER POSED BY PUBLIC ACTIVITIES OF THE NPD IN BERLIN, AND IN ACCORDANCE WITH GENERAL POLICY OF THE ALLIED KOMMANDATURA DURING THE PERIOD BEFORE AND SINCE THE LAST BERLIN ELECTIONS, THE ALLIED KOMMANDATURA IS TODAY ISSUING AN ORDER PROHIBITING THE LANDESVERBAND BERLIN OF THE NPD FROM PARTICIPATING IN THE MARCH 1979 ELECTIONS AND PROHIBITING THE NPD FROM ENGAGING IN PUBLIC ACTIVITIES OF ANY KIND BETWEEN THE DATE OF PUBLICATION OF THE ORDER AND MIDNIGHT 19 MARCH 1979. YOURS SINCERELY,

CHAIRMAN DEPUTY COMMANDANT

END TEXT NELSON

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